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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,669	11/25/2003	Uma Kant Singh	34874-281	6260
64280 7590 03/16/2010 MINTZ, LEVIN, COHN, FERRIS, GLOVSKY & POPEO, P.C. ONE FINANCIAL CENTER BOSTON, MA 02111				
EXAMINER RICEK, JASON D				
ART UNIT		PAPER NUMBER		
2442				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/720,669

Applicant(s)

SINGH ET AL.

Examiner

JASON RECEK

Art Unit

2442

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2009.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-24 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 20-24 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SI/200)
4) ☐ Interview Summary (PTO-413)
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____
Paper No(s)/Mail Date _____

DETAILED ACTION

This is in response to the amendment filed on October 30th 2009.

Status of Claims

Claims 20-24 are pending, of which claims 20-21 are amended and claim 24 is new.

Response to Arguments

1. Applicant's arguments filed 10/30/09 have been fully considered but they are not persuasive. Applicant asserts that Multer does not teach message conversion (pg. 10) and therefore does not teach claims 20-21 and their dependents. This is not persuasive. As pointed out in the detailed rejection, Multer teaches synchronizing data by using difference information which converts/synchronizes the data (col. 5 ln. 60 – col. 6 ln. 29). The newly added limitations do not render the claims patentable, they are discussed in the rejection below.
2. Applicant also asserts that new claim 24 is allowable (pg. 11). This is not persuasive for the reasons given below.

Claim Objections

3. Claim 24 is objected to because of the following informalities: the word "an" in the phrase "transfer data objects to an from the principal" on line 17 should be "and". The phrase "to retrieves inbound messages" on the last two lines is unclear. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 20-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Multer et al. US 6,694,336 B1 in view of Creswell et al. US 6,445,783 B1 and Multer US 7,415,486 B2 (hereinafter "Multer 486").

Regarding claim 20, Multer discloses "A *system for synchronizing data objects for a user between a primary platform and a plurality of auxiliary platforms comprising,*" as "a system [...] for transferring data between two devices which require information to be shared between them," (col. 4, line 65) and states more specifically that the intention is to synchronize information between multiple computing systems (col. 5, line 1-2, 26-28). Multer discloses "a *memory*" and "*processing means, coupled to the memory, to execute at least one computer program*" as components of a device to be synchronized

(col. 5, line 6) where the system "comprises a set of programs specifically designed to transmit and/or receive differencing data from one device to another device" (col. 5, line 17). Multer discloses *"creating, by a primary platform synchronization framework, a set of generic messages identifying changes to the data objects on the primary platform since a previous synchronization"* as creating by software a set of self-describing synchronization transactions (col. 12, line 10) that identify changes, i.e. what has been added, deleted, and/or modified (col. 17, line 46), to the data on the first system when compared to the data it knows the and system contains (col. 6, line 8). Multer teaches "the generic message not being dependent on a specific platform" as the vendor-specific application data is converted to a generic or universal format before changes are calculated and transactions are logged (col. 17, line 37). Universal format, by definition, is not dependent on a specific platform. Multer discloses *"converting, by a primary platform synchronization adapter, the generic messages to adapted messages corresponding to each of the auxiliary platforms"* as using software for the conversion of the extracted changes into "difference information A" which contains the changes and implementation instructions for the second platform (col. 5, line 60), and "the adapted messages being in adapted message formats used by the underlying synchronization software" as the difference information is able to transform the message for the second platform, thus it is in a format used by the underlying synchronization software. Multer discloses *"sending the adapted messages from the primary platform to auxiliary platform synchronization adapters in the corresponding auxiliary platforms"* as the next step in the process, is to transmit the difference information to the second system (col.

6, line 29) which contains software (i.e. synchronization adapter). Multer discloses *"converting, by the corresponding auxiliary platform synchronization adapters, the adapted messages to generic messages on each of the auxiliary platforms"* as the step in which the difference information, having been received by the second system, is interpreted and its data is reconstructed on the second system by software (col. 6, line 13). Multer discloses *"executing, by an auxiliary synchronization framework on each corresponding auxiliary platform, add, modify and/or delete functions in the generic messages to synchronize the data"* as the step in which the second system uses the reconstructed data from the first system to update its own data (col. 6, line 3).

Multer does not explicitly disclose "accessing a database to obtain a user identifier, the user identifier being associated with the user and linking to two or more device identifiers, the device identifiers identifying the plurality of auxiliary platforms" however this is substantially taught by Creswell (with the exception of two or more device identifiers) as a system that accesses a database to determine the source of communication (user identifier) and then uses this information (identifier) to identify the device associated with the user (col. 1 ln. 35-45, Fig. 5, col. 3 ln. 45-50). Thus Creswell discloses a user identifier being associated with the user and linking a device.

Multer does not explicitly disclose "converting the generic messages ... based on the obtained user identifier and the linked device identifiers" however this is also taught by Creswell as using the user identifier information obtained from the database to perform specialized processing of messages (col. 1 ln. 49-59).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Multer to use the specific user identifier taught by Creswell for the purpose of specialized processing. A user's or device's settings may be stored in a database and then automatically retrieved (as taught by Creswell), this would lead to quicker converting of messages for that specific user or device. Creswell suggests multiple advantages can be obtained using this automatic specialized processing. One of which is to provide greater versatility in communications processing (col. 7 ln. 65-67).

The combination of Multer and Creswell does not explicitly teach "the user identifier ... linking to two or more device identifiers" however this is taught by Multer (486) as a system that uses a user identifier to synchronize data for a user across *multiple* devices (col. 3 ln. 10-30, col. 33 ln. 54 – col. 34 ln. 20, Fig. 15). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Multer and Creswell with the teachings of Multer (486) for the purpose of synchronizing data across multiple devices. Multer (486) suggests that this provides advantages to applications that require data transfer (col. 2 ln. 56-67).

Regarding claim 21, as indicated by applicant (pg. 7 of response filed 3/18/09), it is a method that corresponds to the system of claim 20. Therefore it is rejected for the same reasons.

Regarding claim 22, Multer (486) discloses "determining that an error is generated" and "canceling all data objects" (Fig. 15, col. 33 ln. 55-56).

Regarding claim 23, Multer (486) discloses "determining that an error is generated" and "rolling back all data objects" (Fig. 15, col. 33 ln. 55-56).

Regarding claim 24, it substantially corresponds to claim 20 and those corresponding parts (platform, memory, synchronization adapter, framework, creating messages, database with user information, transfer of data between platforms/pass messages, and synchronize data) are rejected for similar reasons. Multer further teaches "a settings module to permit a user to select various settings and parameters for synchronization" as a user interfere (col. 12 ln. 58) which allows a user to select settings, and a synchronization profile (col. 13 ln. 32-36).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hennen et al. US 7,286,567 B1 discloses a method for synchronizing data using messages of an independent format (abstract).

Uenoyama et al. US 2004/0064517 A1 discloses a message synchronization method (abstract) that includes converting message into a synchronization format (paragraph 12).

Libman US 2007/0271395 A1 discloses a synchronization module on a computing platform for transferring and converting data (abstract).

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **JASON RECEK** whose telephone number is (571)270-1975. The examiner can normally be reached on **Mon - Fri 9:00am-5:30pm**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Saleh Najjar** can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jason Recek/
Examiner, Art Unit 2442
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**/Asad M Nawaz/
Primary Examiner, Art Unit 2455**